

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MICHELLE LAMPKIN, et al.,

Plaintiffs,

v.

LOUIS A. GAPPA, et al.,

Defendants.

CIVIL ACTION

No. 10-3015

ORDER

AND NOW, this 27th day of March, 2011, for the reasons discussed in the accompanying memorandum, it is hereby **ORDERED** that defendant Gappa Fuel's motion to dismiss, *see* dkt. 6, is hereby **GRANTED**, and Lampkin's complaint against Gappa Fuel is **DISMISSED** without prejudice as to all counts. It is further **ORDERED** that Gappa Fuel's motion to dismiss Gappa's crossclaim, *see* dkt. 17, is hereby **GRANTED**, and Gappa's crossclaim is **DISMISSED** without prejudice. Both Lampkin and Gappa may amend their respective pleadings no later than 20 days from the date of this order.

/s/ Louis H. Pollak
Pollak, J.